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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 5449/2003

HARISH KUMAR

..... Petitioner

Through: Ms. Suparna Manan, Adv.

versus

UOI & ORS.

..... Respondents

Through: Mr. Saroj Bidawat, SPC for R-1 to 3.
Mr. A.K. Trivedi and Mr. Yash Jangra, Adv. for R-4.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 01.05.2024

1. The present petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 09.05.2002 passed by the learned Central Administrative Tribunal (Tribunal) in Original Application (O.A.) NO. 3146/2001. Vide the impugned order, the learned Tribunal had allowed the O.A. filed by the respondents no. 4 & 5 wherein they had assailed the order dated 08.11.2001 vide which the name of the petitioner was interpolated at serial no. 20A in the panel prepared for promotion to the post of Goods Driver.
2. Learned counsel for the petitioner submits that as a consequence of the impugned order, the petitioner was deprived of his rightful promotion to the post Goods Driver in 2001. She submits that even though the petitioner was subsequently promoted as a Goods Driver in

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the year 2004, once the respondent no. 1 accepted both before the learned Tribunal as also this Court that the petitioner was entitled to promotion with effect from 08.11.2001, the petitioner despite having superannuated would still be entitled to receive all consequential benefits.

3. Learned counsel for respondent no. 1 prays for time to obtain instructions.
4. List on 23.08.2024.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 1, 2024
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